Heads of the Additional Bill for Paving, Cleansing, &c. London.

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C 5 L. 1. 25 v
p. 365. London Sewers

Reasons.

Preamble.

That the former Laws have not proved effectual by reason of the *Miscarriages* of *Scavengers*, and *Combination* of *Paviors*, &c.

THE Punishment of Scavengers Paviours, and other Persons offending against the former Act, was only by *Indictment*; the Prosecution whereof being *chargeable*, and the Proceeding *dilatory*, and the Fines imposed after conviction being not applyed to the Prosecutor, discouraged the Prosecution, and thereby the Offenders escape Punishment.

The Paviours have *ingrossed* most of the *Stone-Quarries*, and thereby inhance the Prices of Stone, and are now endeavouring to obtain a *Patent* of *Incorporation*; so that *none shall work* but in such *manner*, and at such *Rates* as they shall agree and appoint.

AND

That Owners of Tofts of Ground and empty Houses have *refused* to *Pave* or to *pay* the *Assessments* thereon.

By the former Act, Owners of Tofts and empty Houses are made liable to be Rated, but the Recovery is by *Distress*, which can never be found there, the Moneys cannot be Collected, and either the Ground before those Interests must be *Unpaved*, and so *dangerous* to *Passengers*, and *mischievous* to *Trade*, or Persons laying out Money for the same, can no way be re-imbursed, great Sums being yet in Arrear and unpaid to divers persons upon that Accompt.

The Bill Enacts,

That from and after the day of 1674. every Inhabitant or Housholder do pave before his own Shop, House, or other his Interest, and so for the future to maintain the same at his own cost and charges.

The Owners of Tofts and uninhabited Houses neglecting to make good the *Pavements* lying before the same, and refusing to pay any Assessment towards that Work, put a necessity on the Commissioners to make a general Assessment on the Inhabitants for amending and maintaining all the Pavements of the City and Liberties in a publick way: but for as much as convenient Provision is made by this Bill for paving the dead Interests, and for that the Inhabitants are now generally desirous to be at liberty, (each person by and for himself) to amend and maintain the Pavements lying before their respective Interests, it's desired this Clause (being omitted in the former Act) may now be allowed, they taking care to preserve the Levels and Currents of Water, which with great care and pains of the Commissioners of Sewers, have been designed and ascertained, and from thenceforth shall be no way liable to be rated for Pitching or Paving.

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That from and after the said day of 1674. every Inhabitant or Housholder do sweep before his own Shop, House or other his Interest, three times in a Week at the least.

Without the requiring of this the Streets will lie so foul and dirty as will greatly annoy Passengers, prejudice Trade, and constantly fill and choak the Sewers to great mischief and charge.

That the Commissioners may reform and punish *Incroachments* and *Annoyances* in the Streets and Common Passages.

Divers persons do take upon them to make out Bulks, Stalls, *&c.* laying Materials and Rubbish in the Streets and Common Passages, to the obstruction and annoyance of Passage, and choaking of the Sewers; which may be best inquired into, and reformed by the aforesaid Commissioners, who by two former Acts of this Parliament are directed to take care of the Pavements and cleansing of the Streets and Sewers.

That Offenders *refusing* to appear may be taken by *Warrant* from a Justice of Peace, *&c.* and Fines recovered by *Distress* or *Indictment*.

In the Execution of the former Act, it hath been found that several Persons, Rakers and others, offending against the Act, and several Scavengers that have Collected and Deteined several *Sums of Money* in their hands due to the Rakers, have been duly summoned by the Commissioners Officers to appear and shew cause, *&c.* and have refused or neglected to appear, and before the Sessions did sit, or hearing of the cause, the Parties have failed and gone away, to the *loss* of divers Sums; and without some Coercive Power more than the bare Summons of an Officer, there cannot be any great Regulation expected.

That all *Fines* to be imposed by the Commissioners or Justices at the Sessions, be employed in the works of *Paving*, &c. and other incident Charges.

By the former Act the Fines to be imposed by the Commissioners are appointed to be applyed towards the Works of Paving, Cleansing, *&c.* But there being no Power of re-imbursing or gratifying the Informer or Prosecutor, there is no Incouragement to any to inform and prosecute, and so little or no Reformation.

That all Constables and other Officers *assist* in the *execution* of the Powers, *&c.*

The Constables Duty is in all cases to endeavour the keeping of the *Peace*, and no more is hereby *intended* and *designed*; but some Constables will not think themselves concerned unless they are particularly mentioned: whereby Justice is oftentimes delayed and affronted.

That *Surveyors* or *Supervisors* be appointed for the Streets.

These may be Persons who have *good Judgment* in Paving Materials and Workmanship, and may see the Work constantly and well performed, especially before Tofts of Ground and empty Houses: And may also give notice, and require the Amendments of defective Pavements before inhabited Houses, when one Neighbour is unwilling to complain or inform against another.

That where Scavengers, or other persons are sued, they may plead the *General Issue*; and if it be wrongfully, then to recover *Double Costs*, &c.

This Clause is usual in Acts of Parliament, but by the omission of this in the former Act, some *Litigious Persons* have been incouraged to bring *vexatious Suits* against *Scavengers* and others imployed and acting in pursuance of that Act: And in a matter of eight or nine shillings, by reason of pleading *the Act specially*, very great Sums have been expended, to the great *discouragement* of persons doing their Duty.

That any Person *skilful* in Paving may be employed therein.

Several of the *Paviors* in *London* have ingrossed most of the *Stone-Quarries*, and will neither afford *Stones*, or perform *Workmanship* at any reasonable Rates; nor will they suffer *other Persons* (not of their Brotherhood) though never so skilful, to be imployed, vexing and discouraging them with Suits and Proceedings at Law, and (as is before mentioned) they are indeavouring to obtain a Patent of Incorporation.

That for better enabling the Major, and Commonalty, and Citizens of *London* to go through the building of Churches, giving satisfaction for ground lost by making the Wharff or Key on the North-side the River of *Thames*, *and otherwise*; Paving before Tofts of Ground and uninhabited Houses, and other Publick works, the Duty or Impoition upon *Coals* to be continued for years after the year 1687. to which time the same is already granted.

The Revenue arising by the Imposition upon Coles, was *lessened* in the Receipts the two last years above twelve thousand pounds.

Upon a just Calculation of the Receipts that either have or may be received by that *Imposition* which is to be applyed for the Rebuilding of Churches, and a reasonable estimate made of the charge of Rebuilding thereof, it will cost above 100000 *l.* more than that Revenue will amount to, to Rebuild the Parish Churches, besides the Rebuilding the Cathedral Church of St. *Paul.*

Upon a just Calculation of the Receipts that either have or may be received by that *Imposition*, which is to be applyed for giving Satisfaction for Ground, and for *other* purposes in the former Acts mentioned, and upon a reasonable Estimate of the Charges, it doth plainly appear that the *principal charge* besides Interest, will amount to above 160000 *l.* more than the Receipt will amount unto for the term that is yet to come, besides the great *Sums of Money* that must necessarily be expended for the re-imbursing of Moneys already advanced, and which must hereafter be expended for Paving and Cleansing before Tofts and uninhabited Houses, being above four thousand in number, which Works can never be effected without a further *Additional Term.*

That the *Owners* of Tofts of Ground or empty Houses shall not be compelled to *Pave* or *Cleanse*, or be *Rated* for the same, during such time as the same shall be unbuilt or uninhabited.

There are great Numbers of Tofts of Ground and empty Houses which must be taken care for, as to Paving and Cleansing before the same; the want of which hath occasioned the not taking the same, either for Building or Inhabiting. And yet it is conceived hard and severe, that those Persons concern'd (most of which are *Country Gentlemen* that have lost the benefit of their Inheritance for above seven years, and many expended considerable *Sums of Money* in Building, without receiving any profit or benefit thereby) should nevertheless be liable to make good the Pavements lying before the same.

That no other or greater Salary, Allowance, or Reward, be given or made for collecting, receiving, or paying the *Coal* Duty, then what is appointed by the former Act of Parliament.

Some scruples having been made, whether the allowance of 10 *s. per cent.* mentioned in the former Act relating to the Duty upon *Coals*, was intended to include as well the Collector, as the Receiver and Payer of the Money, it is desired the same may be now setled and ascertained in this manner.

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Brewers & Paving
Act.